



12/21/99

1-2-22-99

#7B 1/6/02  
16rayAEXPRESS MAIL RECEIPT NO. EL514238916US  
DEPOSITED ON DECEMBER 21, 1999

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Att'y Docket No. 5820.555  
Anticipated classification of this application:  
Class Subclass  
Prior application:  
Examiner: G. Bugaisky  
Art Unit: 1653jc511 U.S. PTO  
09/469200  
12/21/99Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## TRANSMITTAL OF FILING UNDER 37 CFR 1.53(b)

This is a request for filing a

☒ Continuation  
☐ Divisionalapplication under 37 CFR 1.53, of pending prior application  
serial no. 09/178,851 filed on October 26, 1998

(date)

of Paul H. Weigel, Kshama Kumari and Paul DeAngelis  
(inventor(s))for HYALURONAN SYNTHASE GENE AND USES THEREOF  
(title of invention)

1. New Application filed wherein the content of the parent application is hereby incorporated herein by reference.

\_\_\_\_\_ page(s) of specification  
\_\_\_\_\_ page(s) of claims  
\_\_\_\_\_ page(s) of abstract  
\_\_\_\_\_ sheet(s) of drawing

-or-

1. Copy of Prior Application as Filed Which is Attached

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally

667227 00269460

[illegible]

<u>X</u>	<u>89</u>	page(s) of specification
<u>X</u>	<u>12</u>	page(s) of claims
<u>X</u>	<u>1</u>	page(s) of abstract
<u>X</u>	<u>13</u>	sheet(s) of drawing
<u>X</u>	<u>8</u>	page(s) of sequence identifications

X 5 pages of declaration and power of attorney

— in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on \_\_\_\_\_.

## 2. Amendments

\_\_\_\_ In this design application, please cancel Figures \_\_\_\_.

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

Page 2 of 7 Pages

— There is provided herewith a Petition to Suspend Prosecution for the Time Necessary to File an Amendment (New Application Filed Concurrently).

**4. Information Disclosure Statement**

— An information disclosure statement is submitted herewith.

**5. Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED			
Number filed	Number extra	Rate	Basic Fee
			\$760.00
Total			
Claims (37 CFR 1.16(c))	9 - 20 = 0	x \$18.00	\$ 00.00
Independent			
Claims (37 CFR 1.16(b))	3 - 3 = 0	x \$78.00	\$ 00.00
Multiple dependent claims(s), if any, (37 CFR 1.16(d))		x \$260.00	

— Fee for extra claims is not being paid at this time. (37 CFR 1.16(d))

— Fee for filing application for design patent \$\_\_\_\_\_.

Filing Fee Calculation \$760.00

**6. Small Entity Status**

X A verified statement that this filing is by a small entity:

— is attached

X has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation  
(50% of above) \$380.00

**7. Drawings**

— Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file. (May only be used if signed by (1) applicant, (2) assignee of record or (3) attorney or agent of record authorized by 37 CFR 1.138 and before payment of issue fee.)

X Transfer the following sheet(s) of drawing from the prior

application to this application Sheets 1-13.

     A **copy** of the amendment cancelling these sheets of drawing in the prior application is attached.

     New drawings are enclosed.

     formal  
     informal

**8. Priority--35 U.S.C. 119 (Prior Foreign Application)**

     Priority of application no.                      filed on                       
in                      is claimed under 35 U.S.C. 119.  
                    (country)

     The certified copy has been filed in prior U.S.  
application serial no.                      on                     .

     The certified copy will follow.

**9. Relate Back--35 U.S.C. 120 (Prior U.S. Application)**

  X   Amend the specification by inserting before the first line the sentence:

"This is a

  X   continuation

     divisional

of copending application(s)

  X   Serial number 09/178,851 filed on October 26, 1998."

     International Application                      filed on                       
and which designated the U.S."

**10. Inventorship Statement**

(complete appropriate items (a) and (b))

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is(are):

(complete applicable item below)

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less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

(type name(s) of inventor(s) to be deleted)

(b) The inventorship for all the claims in this application are

X the same

not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

## 11. Assignment

X The prior application is assigned of record to  
The Board of Regents of the University of Oklahoma

\_\_\_\_\_ An assignment of the invention to \_\_\_\_\_  
\_\_\_\_\_ is attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING  
NEW PATENT APPLICATION" is also attached.

12. Fee Payment Being Made at This Time

\_\_\_ Not Enclosed

\_\_\_\_ No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

X Enclosed

<u>X</u> Basic filing fee	\$380.00
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— Recording assignment  
(\$40.00; 37 CFR 1.21(h)) \$

\_\_\_\_ Processing and retention fee  
(\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$

Total fees enclosed                      **\$380.00**

### 13. Method of Payment of Fees

\_\_\_\_ Enclosed is a check in the amount of \$\_\_\_\_\_

X Charge Deposit Account No. 04-1700 in the amount of \$380.00.  
A duplicate of this request is attached.

[illegible]

X 37 CFR 1.16(a), (f) or (g) (filing fees)

\_\_\_ 37 CFR 1.17 (application processing fees)

Page 6 of 7 Pages

17. **Conditional Petition for Extension of Time in Prior Application**

(Complete this item and file conditional petition in the prior application if previous item not applicable.)

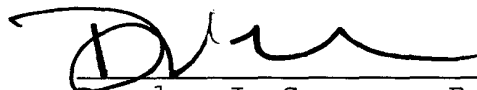
- ☐ A conditional petition for extension of time is being filed in the pending parent application.
- ☐ A **copy** of the conditional petition for extension of time in the prior application is attached.

18. **Abandonment of Prior Application (if applicable)**

- ☒ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

19. **Notification in Parent Application of the Filing of This Continuation Application.**

- ☐ A notification of the filing of this continuation is being filed in the parent application from which this application claims priority under 35 USC §120.



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